

pointed out by the Magistrate Judge, such delays in meeting the timeliness requirement of the AEDPA do not constitute “extraordinary circumstances” supporting the equitable tolling of the one-year limitations period. See Sandvik v. United States, 177 F.3d 1269 (11th Cir. 1999). These contentions were carefully reviewed and assessed by the Magistrate Judge under the applicable law. This Court agrees with the Magistrate Judge’s findings and stated reasons.

Upon full review and consideration upon record, the Court finds that said Recommendation (Tab 24) should be and hereby is, **ACCEPTED, ADOPTED** and made the order of this Court for reason of the findings made and reasons stated therein, together with the findings made and conclusions reached herein. Accordingly, Respondent Humphrey’s motion to dismiss is **GRANTED**. (Tab 9). Petitioner’s instant petition is **DISMISSED** as untimely.

SO ORDERED, this 16th day of September, 2005.

/s/W. Louis Sands
W. Louis Sands, Chief Judge
United States District Court